

**THE MORAY COUNCIL**  
**DIRECT SERVICES**  
**POLICY ON ROADSIDE SIGNAGE**

**1. INTRODUCTION**

This policy covers all roadside signage which can be split into two distinct areas: on footways and in roadside verges. While there are similarities between the two, the types of sign and the associated problems are different and so each is dealt with separately.

This policy is restricted to signage within the road boundary, i.e. the carriageway plus footways and verges. Signs outwith the road boundary are a matter for the planning service. This policy is also restricted to roads within the control of The Moray Council as local roads authority, that is, it does not apply to private, unadopted or trunk roads (i.e the A95 between Keith and the boundary with Highland Council and the A96).

Transport Scotland policy does not permit roadside signage of any description.

The Roads (Scotland) Act 1984 makes it clear that placing unauthorised objects in the road is an offence and gives the roads authority powers to have them removed.

The Moray Council has expressed a desire to cater for the needs of local people who are organising and running events for the benefit of the local community and this policy attempts to fulfil that desire while explaining where and when signs will not be authorised.

**2. SIGNS IN ROADSIDE VERGES**

**2.1 COMMUNITY EVENT SIGNAGE**

Only signs promoting an event organised by a properly constituted community group will be authorised. This would include Community Councils, Community Associations, Church Groups, School PTA's etc.

Contact details should be provided on the back of all authorised signs.

Signs and locations must be approved in writing by the Traffic Section.

Organisers of recurring events may receive approval for up to 5 years at a time.

Community event signs will be permitted no more than 7 days before the event takes place and must be removed as soon as practicable, but no more than 3 days, after the event.

Signs will only be allowed on the nearest agreed main road, unless otherwise approved by the Transportation Manager.

No signs will be allowed at junctions or in the first 50 metres when exiting a junction. Signs will not be permitted on the approach to a junction within 100 metres on A or B class roads or within 50 metres on a C class or unclassified road.

The maximum size of any sign should be A3 and the minimum letter size shall be 50mm. Larger signs may be considered in exceptional circumstances if appropriate. The maximum height of any sign above the verge level (i.e. to the top of the sign) shall be 750mm and the minimum clearance from the edge of the carriageway to the nearest edge of the sign shall be 600mm.

The maximum number of signs permitted at any location will be three.

No sign should emulate or attempt to copy a recognised traffic sign.

Larger events which will generate significant amounts of traffic and visitors could qualify for temporary direction signs and therefore verge-type signs would not be appropriate.

No signs will be allowed to be fixed to any street furniture, including lighting columns or traffic signs.

Notwithstanding the above, the Moray Council retains the right to remove any sign or object, following the procedures below, under any circumstances at any time if it is felt to be unsuitable or dangerous.

## **2.2 COMMERCIAL SIGNS**

No signs shall be permitted for commercial activities such as hotels, restaurants, commercial sales or any other profit making activity.

It is accepted that a number of existing commercial signs advertising hotels, restaurants etc have virtually become permanent. It is proposed that these establishments are approached and given a three month period of grace to have their signs removed while being encouraged to join Visit Scotland and therefore having the opportunity to apply for tourist signing.

Any new signs erected within this period of grace will be subject to immediate removal following the procedures below.

## **3. SIGNS (AND OBSTRUCTIONS) ON FOOTPATHS AND FOOTWAYS**

Obstructions on footways can cause great difficulty for some sections of our communities, particularly the elderly, wheelchair users, partially sighted or blind, people with prams or pushchairs and those with walking difficulties.

Any obstruction placed on the footway without authorisation in writing from the Roads Authority constitutes an offence and authorisation will not be given for any obstruction which, in the opinion of the Roads Authority, creates or has the potential to create a hazard.

Notwithstanding the above, on the basis that such obstructions will be transitory, advertising on public footways by means of “sandwich boards” , “A-frames” etc will be permitted by The Moray Council with prior written approval from the Transportation Manager in accordance with the following conditions:

In seeking approval the owner of the sign must indemnify the Council against any third parties so that the sign owner takes full liability for any damage or personal injury caused by placing the sign in the footway. It is recommended that sign owners have adequate indemnity insurance against such claims.

All boards/advertising etc must

- be placed at the rear of the footway i.e. at the building.
- present no hazard to pedestrians or wheelchair users
- have no sharp edges, protruding nails or rotating parts
- be no more than 500mm wide
- be securely fixed and sufficiently stable to withstand being easily knocked or blown over
- be removed when premises are closed
- not reduce visibility for road users at a junction, access or bend
- not obscure any roadsign
- not be fixed to street furniture
- not reduce the remaining available footway width below 1.5m

Only one such object will be permitted for each premises and must be located within the frontage of the premises.

All obstructions which do not comply with these conditions will be treated as unauthorised and the owner asked to remove them within 24 hours. Failure to comply with this request will mean the signs will be dealt with as detailed in the procedures for unauthorised signs.

Planning approval may be required for such signing within conservation areas and if so, this must be obtained before authorisation will be considered.

#### **4. REMOVAL OF UNAUTHORISED OR INAPPROPRIATE SIGNS**

Where unauthorised signs are noted, they will be removed and returned to Council premises. If contact details are available, or the owner traceable, they will be contacted and asked to collect the signs within 14 days.

If they are not collected within that time, they will be retained for a further 14 days and then destroyed.

If the owner cannot be contacted, the signs will be kept for 28 days and if not claimed within that period, will be destroyed.

## **5. REMOVAL OF OBSTRUCTIONS IN FOOTWAYS OR FOOTPATHS**

In the first instance, the owner of the obstruction will be requested verbally to remove it within 24 hours. If this is not complied with, a letter will be issued, advising that an offence is being committed under Section 59 of the Roads (Scotland) Act 1984. If the obstruction is still not removed after a further 24 hours, it will be removed and the owner charged with any expenses incurred in removing it.

## **6. PUBLICISING THE POLICY**

This policy will be made available on the Council's website. In addition, copies will be sent to all Community Councils and Community Associations.

Roads Inspectors will have copies of the policy which they can distribute to members of the public when required.

## **7. GUIDANCE FOR COMMUNITY GROUPS ERECTING SIGNS**

The requirements for anyone carrying out any work, including erecting or removing signs, in the public road, verge or footway are contained in Chapter 8 (Traffic Safety measures and signs for road works and temporary situations) of the Traffic Signs Manual 2006

The relevant legislation governing this type of work is contained in the Roads (Scotland) Act 1984

Any organisation erecting signs in the verge will be responsible for any detriment or damage that the signs may cause to any other road user and for the safety of members/staff/volunteers while they are erecting or removing the signs.

Consideration should therefore be given to arranging adequate insurance cover against potential claims from third parties or individuals within the organisation.